

## CHAPTER NO. 961

## SENATE BILL NO. 3424

**By Jackson, Cohen, Kilby, Black, Bowers, Bryson, Burchett, Burks, Cooper, Crowe, Crutchfield, Finney, Fowler, Harper, Haynes, Herron, Ketron, Kurita, McLeary, McNally, Miller, Norris, Curtis S. Person, Jr., Ramsey, Southerland, Tracy, Williams, Woodson**

**Substituted for: House Bill No. 3340**

**By Odom, Hensley, Coleman, Armstrong, Kernell, Maddox, Winningham, Hackworth, Hood, West, Bone, Langster, Sherry Jones, Pruitt, Moore, Henri Brooks, Marrero, Larry Turner, Tidwell, Miller, Lois DeBerry, John Deberry, DuBois, Sontany, Yokley, Shepard, McDonald, Tindell, Fraley, Curtiss, Cobb, Harmon, Windle, Mike Turner, Litz, McKee, Harrison, McDaniel, Roach, Russell Johnson, Vaughn, Borchert, Brown, Favors, Shaw, Montgomery, Cooper, Pinion, Hawk, Pleasant, Davidson, Towns, Fowlkes, Rinks, Briley, Hargett, Harwell, Fitzhugh, Eric Watson, Mr. Speaker Naifeh, Ulysses Jones, Overbey, Baird, Swafford, Niceley, Gresham, McMillan, Eldridge, Phillip Johnson, Ferguson**

AN ACT to amend Tennessee Code Annotated, Title 8 and Title 71, relative to the regulation of insurance and the administration of TennCare.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, is amended by adding Sections 2 through 4 below as a new, appropriately designated part thereto.

SECTION 2. It is the intent of the general assembly that, in order to maximize the medical care available to Tennesseans who are uninsurable but for the availability of Access Tennessee, federal matching funds should be identified and any applicable federal waiver should be negotiated that would enable the state to provide additional benefits or to provide subsidies to assist with payment of premiums or copayments to persons who are eligible for the Access Tennessee program or to any subset of persons who are eligible for the Access Tennessee program, including individuals with incomes below two hundred percent (200%) of the federal poverty level. It is the intent of the general assembly that any funds expended pursuant to this act in the future shall be administered in conformity with the federal determination of budget neutrality that was made in 2002 with respect to coverage of uninsurable adults under the TennCare waiver and in conformity with any federal waiver that shall be obtained in the future.

SECTION 3. The commissioner is directed to identify, apply for and negotiate for federal waiver authority for matching funds to support the provision of coverage under this act, which may include innovative approaches and solutions which may include, but are not limited to, support for health insurance subsidies.

SECTION 4. The commissioner may adopt such rules as are necessary and proper to implement this part, including, but not limited to, any rules or regulations necessary to identify, apply for and negotiate a federal waiver. Such rules may be promulgated as public necessity rules pursuant to § 4-5-209.

SECTION 5. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the General Appropriations Act.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

**Passed: May 27, 2006**



JOHN S. WILDER  
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 21st day of June 2006**



PHIL BREDESEN, GOVERNOR